

**ORDINANCE NO. 040205-29**

**AN ORDINANCE AMENDING SECTIONS 25-10-4 AND 25-10-152 OF THE CITY CODE RELATING TO SIGN AREA AND CHANGES TO NONCONFORMING SIGNS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Section 25-10-4(D) of the City Code is amended to read:

- (D) Sign area includes a sign apron or similar feature and an area displaying a sign company name or symbol. Sign area does not include a supporting structure, pole cover, or landscape feature unless used to convey a message.

**PART 2.** Section 25-10-152(B) of the City Code is amended to read:

- (B) A person may not change or alter a nonconforming sign except as provided in this subsection.
- (1) The face of the sign may be changed.
  - (2) The sign may be changed or altered if the change or alteration does not:
    - (a) increase the degree of the existing nonconformity;
    - (b) change the method or technology used to convey a message; or
    - (c) increase the illumination of the sign.
  - (3) The sign may be relocated on a tract, if the building official determines that the relocated sign will not be hazardous, and the sign is:
    - (a) located on a tract that is partially taken by condemnation or partially conveyed under threat of condemnation; or
    - (b) moved to comply with other regulations.
  - (4) Except as provided in Subsection (B)(5), a nonconforming sign may be modified or replaced in the same location, if the modification or replacement reduces:
    - (a) the sign area by at least 20 percent;

- (b) the height of the sign by at least 20 percent; or
- (c) both sign area and height of the sign by an amount which, combined, is equal to at least 20 percent of the sign area and height.

(5) A nonconforming off-premises sign may be replaced if:

- (a) each owner of a property from which a sign is to be removed or on which a sign is to be replaced agrees to the sign removal or replacement, as applicable;
- (b) each owner of a property from which a sign is to be removed designates the person who is responsible for removing the sign; and
- (c) the replacement sign:
  - (i) does not direct illumination onto a property zoned or used for a residential use;
  - (ii) does not exceed the height of the sign it replaces; and
  - (iii) is constructed in the same location with same type of materials and construction design as the sign it replaces, and:
    - 1. the face height and width of the replacement sign are each at least 25 percent less than the face height and width of the sign being replaced; or
    - 2. the replacement sign is not located in, or within 500 feet of, a historic sign district, its sign area is at least 25 percent smaller than the sign area of the sign it replaces, and:
      - a. one other nonconforming off-premises sign is permanently removed, the location of the sign to be removed is not included in a site plan that is pending approval, and if, before removal, the sign to be removed is:
        - i. located in a scenic road-way sign district;
        - ii. located in, or within 500 feet of, a historic sign district; or
        - iii. of monopole construction; or
      - b. two other non-conforming off-premises signs are permanently removed, and the location of a sign to be

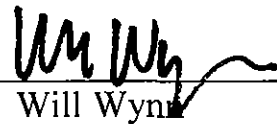
removed is not included in a site plan that is pending approval.

**PART 3.** This ordinance takes effect on February 16, 2004.

**PASSED AND APPROVED**

\_\_\_\_ February 5 \_\_\_\_\_, 2004

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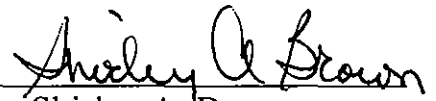
Will Wynne  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk